Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 017-04482-2836-058 | Date: 04/07/17 | Time: 1010 hours

Location: [redacted] South Oleander Avenue | City or Station: Compton

Bureau/Station/Facility: Central Patrol Division / Compton Station | Admin. Investigation: ○ YES ◉ NO

Type of Force: Takedown / Personal Weapons / Control Holds / Resisted Handcuffing

Incident Category: ○ 1 ○ 2 ◉ 3 | Deputy Injury: ◉ YES ○ NO | Suspect Injury ◉ YES ○ NO

☐ Call ☒ Observation ☐ Detail | ☒ Foot Pursuit ☒ Vehicle Pursuit

IAB Notified: ◉ YES ○ NO | Person Notified: Sergeant Mannion | Emp: [redacted] | IAB Roll Out ◉ YES ○ NO

Involved Employee

E1

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Giron	Jose	D.	DSG

Sex: ◉ M ○ F | Race: H | Height: 600 | Weight: 185 | Age: [redacted] | Shift: ○ EM ◉ Day ○ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: Compton Station | Work Assignment (Unit #, Module, etc.): 281F2

Individual Force Used: Take Down / Personal Weapons / Control Holds | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ◉ 3

☒ Injured ☒ Treated ☐ Admitted | Facility: US Health Works, Compton | Coroner Case #

E2

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Hidalgo	Josue	NMN	DSG

Sex: ◉ M ○ F | Race: H | Height: 507 | Weight: 195 | Age: [redacted] | Shift: ○ EM ◉ Day ○ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: Compton Station | Work Assignment (Unit #, Module, etc.): 281F2

Individual Force Used: Personal Weapons / Control Holds | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ◉ 3

☒ Injured ☒ Treated ☐ Admitted | Facility: US Health Works, Compton | Coroner Case #

E3

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Padilla	Robert	NMN	DSG

Sex: ◉ M ○ F | Race: H | Height: 505 | Weight: 170 | Age: [redacted] | Shift: ○ EM ◉ Day ○ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: Compton Station | Work Assignment (Unit #, Module, etc.): 283E

Individual Force Used: Control Holds | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ◉ 3

☐ Injured ☐ Treated ☐ Admitted | Facility: | Coroner Case #

On Duty Supervisor | ☐ Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Schumaker	Keith	G	SGT	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Carr	Jeremy	M	SGT	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Dinh	Minh	G.	LT

[signature] 2/26/18

Watch Commander / Supervising Lieutenant's **Signature:** | Date | Copy Provided to Employee by: | Emp #:

Captain Josie S. Woolum | [redacted]

Unit Commander **(Print Name)** | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

017 - 04482 - 2836 - 058

Suspect Information

S 1

Last Name	First Name	Middle Name	Armed? Select
Cortez	Cristian	Osbaldo	Other

AKA Last Name: | First Name: | Middle Name:

Sex	Race	Age	Height	Weight	D.O.B.	Phone #1: ◯ H ◯ W ◯ C	Phone #2: ◯ H ◯ W ◯ C
◉ Male ◯ Female	H	20	505	165	07/21/97	None	

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 4954718 | Primary Charge Code: 69 PC | Secondary Charge Code: 12500 (a) VC | [redacted] Criminal History

Treated on Scene? ◉ YES ◯ NO | Name: Compton Fire Dept | Unit: Engine 41 | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: Memorial of Gardena | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Dr. Jannicky | Address: 1145 W. Redondo Bch Blvd, Gardena | Phone #: 310-538-6629

Under Influence: ◯ YES ◉ NO | Substance: None | 5150 a factor in force? ◯ YES ◉ NO User's guide provides direction on this entry

Suspect Interview

Date: 04/07/17 | Time: 1142 | ☒ Audiotape: | ☒ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ◯ Male ◯ Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ◯ H ◯ W ◯ C | Phone #2: ◯ H ◯ W ◯ C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ◯ YES ◯ NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ◯ YES ◯ NO | Substance: | 5150 a factor in force? ◯ YES ◯ NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ◯ Male ◯ Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ◯ H ◯ W ◯ C | Phone #2: ◯ H ◯ W ◯ C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ◯ YES ◯ NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ◯ YES ◯ NO | Substance: | 5150 a factor in force? ◯ YES ◯ NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

017 - 04482 - 2836 - 058

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Guzman	Javier	G.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Compton Station	282T1	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Schumaker	Keith	G.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Compton Station	281FS	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Johnson	Eric	NMI

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Compton Station	280S	○ EM ◉ Day PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	None	None

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ Additional Witness

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

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Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Battee	Dion	L.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Compton Station	285S	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Mejia	Richard	NMI

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Compton Station	Watch Commander	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		○ EM ○ Day ○ PM	○ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

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Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Cortez	S#1	Giron/Hidalgo	E#1/E#2	UC	NN	
Cortez	S#1	Giron/Hidalgo	E#1/E#2	HR	NN	
Cortez	S#1	Giron	E#1	PH	NN	
Giron	E#1	Cortez	S#1	TD	FR	WR
Giron	E#1	Cortez	S#1	CT	NN	
Giron	E#1	Cortez	S#1	PH	CP	BK
Hidalgo	E#2	Cortez	S#1	CT	NN	
Hidalgo	E#2	Cortez	S#1	PH	LC	FA
Hidalgo	E#2	Cortez	S#1	PH	FR	FA
Padilla	E#3	Cortez	S#1	CT	NN	

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**Category Three Use of Force**
IAB FILE NUMBERS:	**FO 2424863**
URN#:	**017-04482-2836-058**
DATE/TIME:	**April 7, 2017; 1010 Hours**
LOCATION:	[redacted] **South Oleander Avenue,**
	Compton, California 90220

SYNOPSIS

On April 7, 2017, Internal Affairs Bureau (IAB) Sergeants Patrick Mannion, Jonathan Hoyt and John Adams responded to Compton Sheriff's Station regarding a Category Three use-of-force incident.

On April 7, 2017, at approximately 1000 hours, Deputy Javier Guzman (Compton Unit 282T1) was driving his patrol vehicle eastbound on Poplar Street when he observed Suspect Cristian Cortez (Suspect Cortez) riding a miniature motorcycle (pocket bike) and committing several traffic violations on city streets.

> **IAB Note:** A pocket bike is defined under section 473(a) of the California Vehicle Code (C.V.C.). It is classified as a motor-driven vehicle, if it is equipped with a gas engine, pursuant to section 405 C.V.C. Pocket bikes are prohibited to operate on city streets, sidewalks, bicycle path, hiking or recreational or equestrian trail **[Miscellaneous, LASD Newsletter – Volume 4, Number 24].**

Deputy Guzman attempted to stop Suspect Cortez regarding the traffic violations; however, Suspect Cortez refused to stop the pocket bike. Deputy Guzman, believing Suspect Cortez was evading him, requested additional deputy personnel to his location via the Compton Metro radio frequency (Compton Metro) **[Exhibit A, DVD, Compton Metro, CM 1],** and initiated a vehicle pursuit. Deputy Guzman did not broadcast the vehicle pursuit because he believed a pocket bike was not considered a motor-driven vehicle, subject to the vehicle pursuit policy.

The short vehicle pursuit traversed through several city streets. Deputy Guzman terminated the vehicle pursuit when he lost sight of the pocket bike. Suspect

Cortez was last seen riding southbound across Compton Boulevard into a pathway that runs parallel to a flood control channel.

> **IAB Note:** The flood control channel runs in a south/easterly direction. The flood control channel is bordered by a horse trail along the west side and a bicycle/walking path (pathway) along the east side. The pathway and the horse trail have various access points throughout the city.

The vehicle pursuit lasted approximately two minutes and covered a distance of approximately 1.13 miles.

In response to Deputy Guzman's radio broadcast, Deputies Robert Padilla (Unit 283E), Jose Giron and Josue Hidalgo (Unit 281F2) drove toward the nearby flood control channel access points. Shortly after Deputy Guzman lost sight of Suspect Cortez, Deputies Giron and Hidalgo saw Suspect Cortez exit a horse trail and drive southbound on Oleander Avenue, south of Alondra Boulevard. Deputies Giron and Hidalgo conducted a traffic stop on Suspect Cortez. Suspect Cortez yielded along the east curb line of Oleander Avenue. When his pocket bike hit the east curb, Suspect Cortez jumped off, stumbled on the sidewalk, as he used his left hand to break the fall. Suspect Cortez ran south on Oleander Avenue while keeping his right hand on his waistband. Deputies Giron and Hidalgo initiated a brief foot pursuit to apprehend Suspect Cortez. During the foot pursuit, Suspect Cortez disposed of a long (10") screwdriver from his pant pocket. Since Suspect Cortez could not jump over a fence to get away from the deputies, he turned around and took a combative stance, facing them. Deputy Giron wrapped his arms around Suspect Cortez' waist and took him to the ground. While on the ground, Suspect Cortez struck Deputy Giron in his arms and torso. Deputy Hidalgo assisted Deputy Giron and they were able to roll Suspect Cortez on his stomach. Suspect Cortez refused to comply with their orders to stop fighting. Deputies Giron and Hidalgo struck the suspect with their fists several times in an attempt to gain control of Suspect Cortez' arms, which he was concealing near his waistband. The strikes were effective as Deputy Hidalgo gained control of Suspect Cortez' right arm. Deputy Giron, with the assistance of Deputy Padilla (283E), who arrived on scene shortly after the emergency radio transmission, gained control of Suspect Cortez' left arm. They were then able to safely handcuff Suspect Cortez.

The foot pursuit lasted approximately seven seconds and covered a distance of approximately .03 miles (fifty-two yards). Deputy Hidalgo broadcast emergent radio traffic, via his portable radio, advising he and Deputy Giron were involved the foot pursuit.

As a result of the use of force, Suspect Cortez sustained facial injuries and complained of pain to his left upper thigh and left ribcage. Suspect Cortez was treated for his injuries by Los Angeles County Fire Department personnel at the scene. He was transported via ambulance to Memorial Hospital of Gardena. At

the hospital, Suspect Cortez was treated for a fractured right orbital and a fractured left wrist. Suspect Cortez was subsequently cleared for booking at the Century Regional Detention Center. It was undetermined if the wrist injury was a result of the use of force, or the fact that Suspect Cortez fell off the pocket bike and used his left hand to prevent him from falling before he ran away from Deputies Giron and Hidalgo.

The uses of force were reported to Sergeant Keith Schumaker at the scene. All written reports documenting this incident were submitted as **[Exhibit B]**.

INVOLVED EMPLOYEE AND WORK HISTORY

Jose Giron, Deputy Sheriff, #[redacted]
Central Patrol Division
Compton Station

Work History

Date of Employment	March 7, 2007
Date Assigned to Patrol	April 6, 2014
Date Completed Patrol Training	[redacted]
Prior Founded Force Incident(s)	[redacted]

Equipment Worn On Person

Duty Weapon
Two Duty Weapon Magazines
ASP
Oleoresin Capsicum (OC) Spray
Handcuffs (Two Sets)
Miniature Flashlight
Portable Radio

Josue Hidalgo, Deputy Sheriff, #[redacted] 
Central Patrol Division
Compton Station

Work History

Date of Employment:	June 18, 2007
Date Assigned to Patrol	June 1, 2014
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incidents:	1

Equipment Worn On Person

Duty Weapon
Two Duty Weapon Magazines
Oleoresin Capsicum (OC) Spray
Sap
Handcuffs (Two Sets)
Taser
Portable Radio

Robert Padilla, Deputy Sheriff, #[redacted]
Central Patrol Division
Compton Station



Work History

Date of Employment	August 10, 2005
Date Assigned to Patrol	August 12, 2012
Date Completed Patrol Training	[redacted]
Prior Founded Force Incident(s)	[redacted]

Equipment Worn On Person

Duty Weapon
Two Duty Weapon Magazines
Oleoresin Capsicum (OC) Spray
Collapsible Baton (Asp)
Handcuffs (Two Sets)
Flashlight
Key Holder
Pocket Knife
Portable Radio

SUSPECT INFORMATION

Cristian Cortez
Male, Hispanic, DOB: July 12, 1997, 5'05", 165 pounds
[redacted]
CII #[redacted] MAIN #[redacted]

Suspect Cortez' Consolidated Criminal History Report (CCHRS) is included as **[EXHIBIT D]**.

> **IAB Note:** Suspect Cortez' first name is spelled "Christian" on all criminal and medical documents; however, during his interview, he indicated the correct spelling of his name is "Cristian" **[Suspect Interview, Page 1]**.

SUSPECT'S INJURIES

Suspect Cortez sustained an abrasion to his upper lip, contusions and abrasions on the forehead area, an orbital fracture to the right eye and a scaphoid bone fracture to the left wrist. Refer to (3) photographs of Suspect Cortez submitted as **[EXHIBIT E]**.

Suspect Cortez was treated for his injuries at Memorial Hospital of Gardena by Doctor Elizabeth Jannicky. Refer to medical report from Memorial Hospital of Gardena submitted as **[Exhibit F]**.

DEPUTY PERSONNEL INJURIES

Deputy Giron sustained lacerations to his right wrist, abrasions and bruising to both knees. He complained of pain to his hands. Refer to (3) photographs submitted as **[Exhibit G]**.

Deputy Hidalgo sustained small abrasions and contusions to his knees.

Deputy Padilla was not injured.

PHYSICAL EVIDENCE

All physical evidence was collected by Deputy Hidalgo and booked at Compton Sheriff's Station - for descriptions of the evidence collected see **[Exhibit B, SH-R-49, Page 3]**.

INVESTIGATOR'S OBSERVATIONS

Approximately four hours transpired from the use of force to Internal Affairs Bureau investigator's observations. Suspect Cortez was seated in a holding cell at Compton Sheriff's Station. He appeared to be alert and answered questions in a coherent manner. He wore his personal clothing. His right eye was swollen, and his left wrist was wrapped in a soft cast.

At the scene, the investigators learned South Oleander Avenue is a north-south street located in a residential neighborhood. There are neighboring residences to the west and south of the location. There is a flood control channel to the east of the location and a small grassy area with trees to the north of the location. The street traffic is controlled by posted "stop" signs **[Exhibit A, DVD, Location]**.

WEAPON USED BY DEPUTY GIRON

Deputy Giron used personal weapons (hand/arm) to conduct a takedown, apply control holds and strike Suspect Cortez in the body.

WEAPON USED BY DEPUTY HIDALGO

Deputy Hidalgo used personal weapons (hand/arm) to apply control holds and strike Suspect Cortez in the body and face.

WEAPON USED BY DEPUTY PADILLA

Deputy Padilla used personal weapons (hand/arm) to apply control holds to Suspect Cortez' arms.

WEAPON USED BY SUSPECT CORTEZ

Suspect Cortez used his hands to assault and resist the deputies' efforts to arrest him.

PROPERTY DAMAGE

None.

CRIMINAL INVESTIGATION AND CHARGES FILED

The criminal investigation was handled by Compton Sheriff's Station Detective Andrea Varela, #[redacted] The District Attorney's Office filed two felony counts of 69 P.C. Obstruct/Resist Peace Officer, and one misdemeanor count of 148(a)(1) P.C. Resist/Delay/Obstruct Peace Officer, under case number TA142935 **[Exhibit C]**. Suspect Cortez pled guilty to two counts of 69 P.C. He was sentenced to three years formal probation and served 180 days in the Los Angeles County Jail on October 13, 2017. The remaining charges associated with this case were dismissed due to a plea negotiation **[Exhibit D, page 3]**.

LIGHTING AND WEATHER CONDITIONS

The incident occurred during daylight hours. The weather was clear.

STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions. Internal Affairs Bureau investigators reviewed all reports authored by involved deputies and determined they were consistent with their Internal Affairs Bureau Administrative Force Review interviews.

INVOLVED EMPLOYEE DEPUTY JOSE GIRON

On January 25, 2018, Deputy Giron was interviewed by Internal Affairs Bureau Sergeants Jeremy Carr and Luan Dang. The interview was conducted at the Internal Affairs Bureau office. Representing Deputy Giron during the interview was Attorney Mitchell Kander from the Law Office of Charles Goldwasser. Following is a summary of the interview:

On April 7, 2017, Deputy Giron was assigned to Compton Sheriff's Station as a member of the Special Assignment Office team (SAO Team). He worked as unit 281F2 on day shift. He was working with a partner, Deputy Josue Hidalgo. Deputy Giron was the driver. Deputies Giron and Hidalgo were conducting an unrelated investigation near Long Beach Boulevard and Alondra Boulevard when Deputy Giron heard Deputy Guzman broadcast Suspect Cortez was driving a pocket bike and evading him at a high rate of speed **[Giron, IAB Interview, Page 10]**. Upon hearing Suspect Cortez' last known direction of travel, Deputies Giron and Hidalgo drove toward the area. As Deputies Giron and Hidalgo approached Acacia Avenue and Alondra Boulevard, Deputy Giron observed Suspect Cortez exit the horse trail adjacent to the flood control channel. Suspect Cortez continued southbound across all lanes of traffic on Alondra Boulevard, causing several vehicles to swerve to avoid hitting him. Suspect Cortez entered the horse trail south of Alondra Boulevard and continued driving southbound.

Deputy Giron, knowing the horse trail exits on Oleander Avenue, drove south on Oleander Avenue from Alondra Boulevard. Deputy Giron observed Suspect Cortez exit the horse trail and cross directly in front of their patrol vehicle toward the east curb line. Deputy Giron initiated a traffic stop by activating his red lights and siren. Suspect Cortez crashed his pocket bike into the east curb. Suspect Cortez jumped off, stumbled and braced his fall by placing his left hand on the ground. He got up and ran south on Oleander Avenue, while clutching his waistband with his right hand. Deputy Giron positioned his patrol vehicle at an angle in front of the pocket bike. As Deputy Giron exited his patrol vehicle, he un-holstered his firearm and ordered Suspect Cortez to stop and show his hands. Suspect Cortez ignored Deputy Giron's commands and continued running in a south easterly direction, while still keeping his right hand in his waistband **[Giron, IAB Interview, Page 19]**. Believing Suspect Cortez was possibly in possession of a weapon, Deputies Giron and Hidalgo initiated a foot pursuit.

While Deputy Giron chased Suspect Cortez, Deputy Giron heard Deputy Hidalgo say, "Watch his hands. He has a gun." He also heard Deputy Hidalgo broadcast emergency radio traffic regarding their foot pursuit. Deputy Giron was close enough to Deputy Hidalgo that he could hear Deputy Hidalgo's voice as well as the radio transmission.

During the foot pursuit, Suspect Cortez reached into his waistband and retrieved a metal object. Suspect Cortez turned to look in their direction and threw an unknown item on the ground, as he kept on running.

> **IAB Note:** The object Suspect Cortez threw at Deputy Giron was a metal flathead screwdriver with a yellow handle. The screwdriver was approximately ten inches long **[Exhibit A, DVD, Screwdriver]**.

As Suspect Cortez approached a six-foot-wrought-iron fence ([redacted] South Oleander Avenue), he removed his backpack and threw it over the fence. Because the fence had sharp, decorative iron spikes along the top side, Suspect Cortez was unable to climb over it. Suspect Cortez dropped down from the fence, turned toward Deputy Giron and took a fighting stance, raising his fists. Deputy Giron gave Suspect Cortez commands to get on the ground. Suspect Cortez refused. Deputy Giron, believing Suspect Cortez was now preparing to fight him, did not see Suspect Cortez with a weapon at this time. Deputy Giron quickly re-holstered his firearm and tackled Suspect Cortez to the ground. Deputy Giron wrapped his arms around Suspect Cortez' waist, spun him and pulled him to the ground. Suspect Cortez landed on his back, and Deputy Giron was now on top of Suspect Cortez' body, in a mounted position.

Suspect Cortez hit Deputy Giron's body and shoulders with his hands, jerked his body from side to side, and yelled, "Get the fuck off of me." Deputy Giron gave Suspect Cortez verbal commands to stop fighting and attempted to gain control of Suspect Cortez' hands. During the struggle, he could hear Deputy Hidalgo's voice broadcasting they were now involved in a fight with Suspect Cortez. He quickly glanced over and saw Deputy Hidalgo nearby. Deputy Giron stated at no time were they at a distance wherein either of them could not assist each other if needed.

After Deputy Giron heard Deputy Hidalgo's broadcast, Deputy Hidalgo assisted him. Deputy Hidalgo punched Suspect Cortez one time in the face with his right fist. The punch did not appear to be effective. While Deputies Giron and Hidalgo were able to roll Suspect Cortez on his stomach. Suspect Cortez continued to reach for his waistband.

After several failed attempts to gain compliance from Suspect Cortez, using both verbal commands and control holds, Deputy Giron struck Suspect Cortez approximately four times in the torso with his fists. This appeared to be somewhat effective. Deputy Giron gained control of Suspect Cortez' left hand with the help of Deputy Padilla, who arrived to the scene shortly after the emergent radio traffic was broadcasted. They handcuffed Suspect Cortez him without further incident. Deputy Giron observed swelling to Suspect Cortez' cheekbone; however, he could not remember which side the swelling was on.

Deputy Giron immediately reported his foot pursuit, the force he used and witnessed to Sergeant Schumaker. Deputy Giron sustained a laceration to his right wrist, lacerations and bruising to both knees. He complained of pain to his hands. He was treated at the scene by Los Angeles County Fire Department personnel and subsequently received a tetanus shot for his injuries.

Deputy Giron carried an Oleoresin Capsicum (O.C.) canister on his gun belt; however, he chose not to use it because he did not want to potentially contaminate himself or Deputy Hidalgo. Deputy Giron considered detaining Suspect Cortez at gunpoint when he turned to face him; however, he felt he was going to be assaulted by Suspect Cortez and instead, holstered his firearm and conducted a takedown. He felt this was the safest option at the time.

Deputy Giron initially estimated the duration of the foot pursuit between one and four minutes. He was uncertain of the elapsed time; however, he stated the incident happened very fast. Deputy Giron estimated the entire use of force lasting approximately one minute.

> **IAB Note:** The Foot Pursuit Evaluation Form authored by Sergeant Shoemaker **[Exhibit B, Foot Pursuit Evaluation Form]** reflected the foot pursuit lasted approximately seven seconds.

INVOLVED EMPLOYEE DEPUTY JOSUE HIDALGO

On January 9, 2018, Deputy Hidalgo was interviewed by Internal Affairs Bureau Sergeants Jeremy Carr and Luan Dang. The interview was conducted at the Internal Affairs Bureau office. Representing Deputy Hidalgo during the interview was Attorney Mitchell Kander from the Law Office of Charles Goldwasser. Following is a summary of the interview:

On April 7, 2017, Deputy Hidalgo was assigned to Compton Sheriff's Station as a member of the SAO Team. He worked as unit 281F2 on day shift. He was working with a partner, Deputy Jose Giron. Deputy Hidalgo was the front passenger. Deputies Giron and Hidalgo were on a traffic stop on the east side of Compton when Deputy Hidalgo heard Deputy Guzman's radio broadcast about a suspect evading him on a pocket bike. Deputies Giron and Hidalgo responded to the area along the flood control channel.

As they approached Oleander Avenue, Deputy Hidalgo observed a patrol vehicle (Unit 283E/Deputy Padilla) parked on the north side of Alondra Boulevard, blocking the southbound exit of the pathway adjacent to the flood control channel. Deputy Hidalgo saw Suspect Cortez driving his pocket bike southbound toward Deputy Padilla's patrol vehicle at a high rate of speed. Suspect Cortez maneuvered the pocket bike around Deputy Padilla's patrol vehicle, and crossed Alondra Boulevard, causing several vehicles to swerve to avoid hitting him.

Suspect Cortez entered the horse trail that runs parallel to the east side of the flood control channel.

Knowing the horse trail's next exit is at Oleander Avenue, Deputies Giron and Hidalgo drove southbound on Oleander Avenue from Alondra Boulevard and attempted to intercept Suspect Cortez. As they drove south on Oleander Avenue, Suspect Cortez exited the horse trail and continued eastbound, across Oleander Avenue, approximately ten feet in front of their patrol vehicle. Deputy Giron activated the overhead lights and siren of their patrol vehicle and conducted a traffic stop on Suspect Cortez. Suspect Cortez pulled the pocket bike over and stopped along the east curb line. Deputy Giron initially positioned the patrol vehicle approximately eight feet behind the pocket bike. Suspect Cortez clutched his waistband with his right hand and ran south along the east sidewalk on Oleander Avenue. Believing Suspect Cortez might be in possession of a weapon, Deputy Hidalgo broadcasted, via his portable radio, that they were in a foot pursuit of an armed suspect **[Exhibit A, DVD, Disp Traffic, 10-33]**.

As Suspect Cortez ran from Deputies Giron and Hidalgo, he continued to hold onto his waistband with his right hand. Deputies Giron and Hidalgo gave several commands, telling Suspect Cortez to stop and show his hands. Suspect Cortez turned to look in their direction and threw an unknown item on the ground, as he kept on running. Suspect Cortez ran in a southeasterly direction into a grassy area, toward a wrought iron fence. As Suspect Cortez approached the wrought iron fence, he took off his backpack and threw it over. He could not climb over the fence. Suspect Cortez jumped down, turned toward them and took a fighting stance. Suspect Cortez bladed his body, slightly bent his knees, lifted his left arm and made a fist. Suspect Cortez continued to hold his waistband with his right hand. Deputy Hidalgo stated the foot pursuit began and ended so quickly, and Suspect Cortez was within a couple feet of their position that he felt the better option was to engage and physically take Suspect Cortez into custody.

Deputy Hidalgo saw Deputy Giron wrap his arms around Suspect Cortez' body and take him to the ground. Suspect Cortez landed on his back and Deputy Giron landed on top of him. Deputy Hidalgo used his portable radio to broadcast emergency radio traffic, advising they were now in a fight with Suspect Cortez **[Exhibit A, DVD, Disp Traffic, 10-33]**. While on his back, Suspect Cortez grabbed Deputy Giron's uniform shirt, trying to push him off. Suspect Cortez flailed his arms in what appeared to be an attempt to hit Deputy Giron. Suspect Cortez yelled, "Get the fuck off me." Deputies Hidalgo and Giron gave Suspect Cortez several commands to stop fighting. Deputy Hidalgo approached Suspect Cortez' right side and attempted to gain control of his right arm. Suspect Cortez continued to ignore orders and flail his arms, causing Deputy Hidalgo to temporarily lose his grip of Suspect Cortez' right arm.

During the struggle, Suspect Cortez ended up on his stomach. He tucked his right hand into his waistband. Suspect Cortez refused to give up and attempted

to push himself up off the ground. At this point, Deputy Giron was on top of Suspect Cortez' back, and Deputy Hidalgo was on his right side. Still unsure if Suspect Cortez was concealing a weapon in his waistband and having no success with verbal commands or control holds, Deputy Hidalgo struck Suspect Cortez approximately three times in the upper back with his right forearm. The strikes appeared to be ineffective as Suspect Cortez continued his attempts to get up off of the ground.

Since Suspect Cortez still refused to comply with verbal commands, the control holds and strikes appeared to be ineffective, coupled with the fact Suspect Cortez was still attempting to conceal his right hand in his waistband, Deputy Hidalgo punched Suspect Cortez approximately two times in the right side of Suspect Cortez' face. This appeared to be immediately effective as Suspect Cortez gave up and allowed himself to be handcuffed without further incident. Deputy Hidalgo saw Deputy Padilla assisting, who arrived to the scene shortly after the emergent radio transmission, assist Deputy Giron handcuff Suspect Cortez.

Deputy Hidalgo immediately reported his foot pursuit, as well as the force he used and witnessed to Sergeant Schumaker.

Deputy Hidalgo stated he was equipped with OC Spray on his duty belt and wore a Taser in a holster attached to his left thigh. He elected not to use OC Spray because he did not want to contaminate himself or Deputy Giron. Deputy Hidalgo, in his experience when coming in contact with OC Spray, has had an adverse reaction to the chemical, and he did not want to be debilitated and unable to assist Deputy Giron.

Deputy Hidalgo considered using the Taser; however, he elected not to use the Taser because Deputy Giron was already entangled with Suspect Cortez on the ground.

Deputy Hidalgo sustained lacerations and bruising to both knees. He observed Deputy Giron bleeding from one of his arms. Both deputies were treated at the scene by Los Angeles County Fire Personnel. Deputy Hidalgo observed swelling to the right side of Suspect Cortez' face shortly after the incident.

INVOLVED EMPLOYEE DEPUTY ROBERT PADILLA

On January 9, 2018, Deputy Padilla was interviewed by Internal Affairs Bureau Sergeants Jeremy Carr and Luan Dang. The interview was conducted at the Internal Affairs Bureau office. Representing Deputy Padilla during the interview was Attorney Mitchell Kander from the Law Office of Charles Goldwasser. Following is a summary of the interview:

On April 7, 2017, Deputy Padilla was assigned to Compton Sheriff's Station. He worked as unit 283E on day shift, as a single-man unit. While Deputy Padilla was inside Compton Station, he heard Deputy Guzman's radio traffic on Compton Metro regarding a male riding a pocket bike. Deputy Padilla responded to the area in his marked patrol vehicle in an attempt to locate the pocket bike. Deputy Padilla drove to the pathway exit, located on the north side of Alondra Boulevard, just west of Oleander Avenue. Deputy Padilla used his patrol vehicle to block most of the width of the exit, hoping to stop the pocket bike rider there.

Soon after Deputy Padilla arrived, he heard the pocket bike traveling toward his direction. He saw Suspect Cortez driving southbound on the pathway at a high rate of speed. He advised the responding units of his observations **[Exhibit A, DVD, Compton Metro, CM 4]**. As Suspect Cortez approached Deputy Padilla's patrol vehicle, Suspect Cortez maneuvered around the front of the patrol vehicle. He rode across Alondra Boulevard, causing a vehicle on the roadway to swerve around him. Deputy Padilla lost sight of Suspect Cortez, as Suspect Cortez continued southbound on the pathway, south of Alondra Boulevard.

> **IAB Note:** Deputy Padilla did not attempt to conduct a traffic stop on the pocket bike. His overhead lights and siren were not activated, and he did not use his air horn or public address system. He turned on his rear flashers to alert the other drivers of his presence.

Deputy Padilla made a U-turn and drove eastbound on Alondra Boulevard toward Oleander Avenue. Deputy Padilla, knowing Suspect Cortez had to exit the pathway on Oleander Avenue at some point, drove southbound on Oleander Avenue in an attempt to intercept Suspect Cortez. At this time, Deputy Padilla saw a patrol vehicle (Unit 281F2/Deputies Giron and Hidalgo) further south on Oleander Avenue. He observed Suspect Cortez exit the pathway and cut across to the east side of Oleander Avenue, directly in front of Deputies Giron and Hidalgo's patrol vehicle. Deputy Padilla stated he was approximately 100 yards north of them. Suspect Cortez crossed Oleander Avenue, and the pocket bike struck the east curb. Suspect Cortez jumped off the pocket bike and ran south on Oleander Avenue. Deputies Giron and Hidalgo exited their patrol vehicle and initiated a foot pursuit.

Deputy Padilla continued driving southbound on Oleander Avenue, past Deputies Giron and Hidalgo. He parked his patrol vehicle in front of [redacted] South Oleander Avenue in anticipation of Suspect Cortez jumping fences in the neighborhood. Shortly after parking in front of the residence, Deputy Padilla saw a backpack fly over the wrought iron fence on the north side of [redacted] South Oleander Avenue. He did not see Suspect Cortez, but heard someone yell, "Stop fighting!" He heard the radio traffic indicating there was a deputy-involved fight. Deputy Padilla ran north on Oleander Avenue toward Deputies Giron and Hidalgo's position. As he cleared the fence line, he observed Suspect Cortez lying face down with his hands at his sides, near his waistband. Deputy Hidalgo was on

Suspect Cortez' right side, and Deputy Giron was struggling to get Suspect Cortez' left hand out from under his body. Both Deputies Giron and Hidalgo gave Suspect Cortez commands to stop fighting and to give them his hands. Deputy Padilla assisted Deputy Giron in controlling Suspect Cortez' left hand. Deputy Padilla also told Suspect Cortez to stop fighting. Suspect Cortez continued to move and tense his body and resist their efforts to handcuff him. Deputies Giron and Padilla eventually gained control of Suspect Cortez' left hand and Deputy Hidalgo gained control of Suspect Cortez' right hand. Deputies Giron and Hidalgo safely handcuffed Suspect Cortez, without further incident. Once Suspect Cortez was handcuffed, Deputy Padilla disengaged and advised the responding units of their location and requested medical assistance for Suspect Cortez, via his portable radio.

Deputy Padilla did not recall seeing Suspect Cortez strike Deputy Giron or Deputy Hidalgo. He did not recall seeing Deputies Giron or Hidalgo strike Suspect Cortez.

Deputy Padilla immediately reported the force he used and witnessed to Sergeant Schumaker.

WITNESS STATEMENTS

EMPLOYEE WITNESS DEPUTY JAVIER GUZMAN

On January 3, 2018, Deputy Guzman was interviewed by Internal Affairs Bureau Sergeants Jeremy Carr and Luan Dang. The interview was conducted at the Internal Affairs Bureau's office. Representing Deputy Guzman during the interview was Attorney Adam Marangell from LASPA. Following is a summary of the interview:

On April 7, 2017, Deputy Guzman was assigned to Compton Sheriff's Station. He worked as unit 282T1 on day shift, as a single-man unit. While driving eastbound on Poplar Street approaching Aranbe Avenue, Deputy Guzman observed Suspect Cortez driving a pocket bike, westbound on the north sidewalk of Poplar Street, at a high rate of speed. Deputy Guzman made a U-Turn and attempted to conduct a traffic stop on the pocket bike, regarding the observed traffic violations. Prior to reaching Aranbe Avenue, Suspect Cortez, who was not wearing a helmet, turned around and looked at Deputy Guzman. Suspect Cortez made a right turn onto northbound Aranbe Avenue, failing to stop at the posted stop sign. Deputy Guzman followed Suspect Cortez northbound on Aranbe Avenue. Believing Suspect Cortez might be attempting to evade the traffic stop, Deputy Guzman advised nearby units, via Compton Metro **[Exhibit A, DVD, Compton Metro, CM 1]**, of his location and Suspect Cortez' description. As Suspect Cortez rode north on Aranbe Avenue, Suspect Cortez accelerated the pocket bike to approximately 55 MPH, failing to stop for the posted sign at Aranbe Avenue and Spruce Street. Deputy Guzman "chirped" his air horn in an

attempt to gain Suspect Cortez' attention and get him to pull over. Suspect Cortez ignored Deputy Guzman and continued driving toward Rosecrans Avenue.

> **IAB Note:** Although Deputy Guzman's written report indicated he activated his overhead lights to clear the intersection at Aranbe Avenue and Rosecrans Avenue, he stated during the IAB interview it was possible he activated the overhead lights on Aranbe Street, closer to Spruce Street. He was unable to recall where he actually activated the overhead lights.

As Suspect Cortez approached Rosecrans Avenue, he turned left into the east driveway of a "Unocal 76" gas station and exited on the north driveway of the gas station. He rode westbound on Rosecrans Avenue, in the eastbound lanes of traffic. Deputy Guzman, who had now turned his overhead lights on, safely cleared the intersection at Aranbe Avenue and Rosecrans Avenue, and followed Suspect Cortez westbound on Rosecrans Avenue.

Suspect Cortez turned left, going south on Wilmington Avenue in the northbound lanes of traffic. Deputy Guzman followed Suspect Cortez' pocket bike on Wilmington Avenue with his overhead lights on. He was also in the northbound lanes of traffic. Deputy Guzman kept his overhead lights activated in order to warn other motorists and pedestrians of the presence of the pocket bike on the major streets.

> **IAB Note:** Deputy Guzman remembered making a sharp turn, cutting across the southeast corner of Rosecrans Avenue and Wilmington Avenue. This is the reason why he believed he followed Suspect Cortez westbound in the eastbound lanes of Rosecrans Avenue.

As Suspect Cortez continued driving southbound Wilmington Avenue, he made a left turn on School Street and quickly merged onto southbound Magnolia Court. Deputy Guzman followed the pocket bike, but turned off his overhead lights, as he entered the residential areas. Deputy Guzman deactivated his overhead lights because he could clearly see there were no pedestrians or vehicles in the roadway. Suspect Cortez later crossed all lanes of traffic on Compton Boulevard and entered a pathway that runs parallel to the flood control channel, south of Compton Boulevard. Deputy Guzman lost sight of the pocket bike and discontinued his vehicle pursuit. Deputy Guzman updated the assisting units of his path of travel, as well as the pocket bike's last known location and direction of travel, via Compton Metro **[Exhibit A, DVD, Compton Metro, CM 3]**. Shortly after Deputy Guzman lost sight of the pocket bike, Deputies Giron and Hidalgo located it. Deputy Guzman later learned Deputies Giron and Hidalgo were involved in a foot pursuit and they used force to apprehend Suspect Cortez. Deputy Guzman did not witness the foot pursuit or the use of force. He responded to the location and positively identified Suspect Cortez as the person

who had evaded him. According to Deputy Guzman, Suspect Cortez did not have the facial injuries when he was evading Deputy Guzman earlier.

Deputy Guzman did not broadcast he was involved in a vehicle pursuit or notify a supervisor immediately after the incident because, at the time, he did not believe he was involved in a vehicle pursuit. He did not think a pocket bike would qualify as a moving vehicle, subjected to the vehicle pursuit policy. Deputy Guzman was notified the following day that he needed to submit a supplemental report documenting his involvement in the vehicle pursuit. After speaking with his supervisors and the training staff, and having attended additional station in-service training regarding the vehicle pursuit policy, Deputy Guzman realized he was in fact involved in a vehicle pursuit. He now has a better understanding of the pursuit policy.

Deputy Guzman authored a supplemental report documenting his actions. After reviewing his report, he confirmed to IAB investigators the contents were an accurate account of the incident. Deputy Guzman was shown security video footage from a camera affixed to the streetlight pole located at the northwest corner of Aranbe Avenue and Rosecrans Avenue **[Exhibit A, DVD, Video, Rosecrans & Aranbe].** Prior to viewing the video, he signed the Video Admonishment form. After reviewing the video, he realized he drove in the westbound lanes of traffic upon entering Rosecrans Boulevard. He initially believed he followed Suspect Cortez westbound into the eastbound lanes of traffic.

EMPLOYEE WITNESS SERGEANT KEITH SCHUMAKER

On January 30, 2018, Sergeant Schumaker was interviewed by Internal Affairs Bureau Sergeant Jeremy Carr. The interview was conducted at the Internal Criminal Investigation Bureau's office. Following is a summary of the interview:

On April 7, 2017, Sergeant Schumaker was assigned to Compton Station as the SAO Team Sergeant. He worked unit 281FS on day shift. Sergeant Schumaker was inside Compton Station when he heard emergency radio traffic, via his portable radio over Compton Station's main frequency (Dispatch Nine), regarding deputies involved in a foot pursuit. Sergeant Schumaker recognized the voice on the radio as one of the members of the SAO Team and immediately responded to the terminus location. Upon arrival, Sergeant Schumaker learned Deputies Giron and Hidalgo were involved in a use of force with Suspect Cortez. He assumed responsibility for documenting the foot pursuit and the use of force incident.

Sergeant Shumaker was not aware of Deputy Guzman's vehicle pursuit until he interviewed Suspect Cortez at the hospital. He did not hear Deputy Guzman's radio traffic on Compton Metro while he was inside Compton Station. His portable radio was tuned to Dispatch Nine, and he was nowhere near a speaker

system that broadcasted both Dispatch Nine and Compton Metro. He was later informed by Sergeant Richard Mejia that Deputy Guzman was involved in a vehicle pursuit. He believed Sergeant Eric Johnson assumed the responsibility of documenting the vehicle pursuit.

EMPLOYEE WITNESS SERGEANT ERIC JOHNSON

On February 1, 2018, Sergeant Johnson was interviewed by Internal Affairs Bureau Sergeant Jeremy Carr. The interview was conducted at Compton Station. Following is a summary of the interview:

On April 7, 2017, Sergeant Johnson was assigned to Compton Station. He worked unit 280S as a field sergeant on day shift. Sergeant Johnson heard emergency radio traffic, on Dispatch Nine, regarding deputies involved in a foot pursuit. Sergeant Johnson was the first supervisor to arrive on scene. Because the deputies involved in the foot pursuit and use of force were SAO Team members, it was decided Sergeant Schumaker would document the foot pursuit and use of force incidents.

Sergeant Johnson did not know Deputy Guzman had been involved in a vehicle pursuit. He did hear Deputy Guzman requesting an available unit on the west side of Compton over Compton Metro; however, Sergeant Johnson did not hear anything on the radio, leading him to believe Deputy Guzman was involved in a vehicle pursuit. Sergeant Johnson stated it was not uncommon to hear deputies request an available nearby unit to respond to their locations.

Sergeant Johnson later learned Deputy Guzman might have been involved in a vehicle pursuit, when he subsequently reviewed the recorded radio traffic leading up to the foot pursuit. He could clearly hear an engine revving in the background. He and Sergeant Mejia spoke with Deputy Guzman regarding the incident and determined Deputy Guzman was, in fact, involved in a vehicle pursuit. Sergeant Johnson subsequently gathered documents for the vehicle pursuit evaluation.

EMPLOYEE WITNESS SERGEANT DION BATTEE

On February 1, 2018, Sergeant Battee was interviewed by Internal Affairs Bureau Sergeant Jeremy Carr. The interview was conducted at Carson Station. Following is a summary of the interview:

On April 7, 2017, Sergeant Battee was assigned to Compton Station. He worked unit 285S as a field sergeant on day shift. Sergeant Battee stated he heard Deputy Guzman broadcast, on an unknown frequency, that he was following Suspect Cortez on a "motor bike." Sergeant Battee could not remember if he was in the field or at Compton Station when he heard the radio transmission; however, he immediately responded toward the area since he thought Deputy

Guzman might be involved in a pursuit. He did not see Deputy Guzman until he reached the location where the foot pursuit and the use of force occurred.

Sergeant Battee stated he was the last supervisor to arrive at the location. He believed Deputy Guzman had already reported his involvement to Sergeant Johnson or Sergeant Schumaker.

EMPLOYEE WITNESS LIEUTENANT RICHARD MEJIA

On February 7, 2018, Lieutenant Richard Mejia was interviewed by Internal Affairs Bureau Sergeant Jeremy Carr. The interview was conducted at East Los Angeles Station. Following is a summary of the interview:

On April 7, 2017, Lieutenant Mejia was assigned to Compton Station as a sergeant. He worked as the watch commander on day shift. Lieutenant Mejia heard Deputy Guzman broadcast information over Compton Metro, something to the effect that he was "not in pursuit." Upon hearing this radio transmission, Lieutenant Mejia went to the dispatch office to see what, if anything, was going on. At that time, Lieutenant Mejia was unaware Deputy Guzman had been involved in a vehicle pursuit. Shortly thereafter, Lieutenant Mejia heard emergency radio traffic on Dispatch Nine, advising deputies were involved in a foot pursuit and a fight.

Deputy Guzman later told Lieutenant Mejia what had occurred in the field, which led Lieutenant Mejia to believe Deputy Guzman had engaged in a vehicle pursuit that precipitated the foot pursuit and the use of force. Upon determining Deputy Guzman was involved in a vehicle pursuit, Lieutenant Mejia documented the vehicle pursuit on a memorandum.

WITNESS [redacted]

On April 7, 2017, Witness [redacted] was interviewed by Internal Affairs Bureau Sergeants Jonathan Hoyt and John Adams. The interview was conducted at his residence. Following is a summary of the interview:

On April 7, 2017, Witness [redacted] was standing on the front porch of his residence when he saw deputies chase Suspect Cortez on foot. When the deputies apprehended him, Suspect Cortez was "shaking and trying to move" and resisted the deputies' efforts to control him. Witness [redacted] saw a deputy punch Suspect Cortez in the stomach during the struggle, and the deputies were able to handcuff Suspect Cortez and take him into custody.

Witness [redacted] did not see how Suspect Cortez sustained the injury to his right eye. He stated he saw Suspect Cortez with the eye injury while Suspect Cortez was running away from the deputies, and before the deputies apprehended him.

IAB Note: Witness [redacted] indicated he was standing on the porch of his residence when he saw the incident. The distance of approximately seventy yards was measured by IAB investigators from Witness [redacted] front porch to the terminus point of the foot pursuit. Witness [redacted] had an unobstructed view of the area where the deputies detained Suspect Cortez.

DOCTOR ELIZABETH JANNICKY

On April 7, 2017, Internal Affairs Bureau Sergeants Jonathan Hoyt and John Adams spoke to Doctor Elizabeth Jannicky, from the Memorial Hospital of Gardena Emergency Room. She treated Suspect Cortez for his injuries. Doctor Jannicky refused to provide a statement, citing the Health Insurance Portability and Accountability Act of 1996 (HIPPA) and the hospital policy.

SUSPECT'S STATEMENT

SUSPECT CHRISTIAN CORTEZ

On April 7, 2017, Suspect Cortez was interviewed by Internal Affairs Bureau Sergeants Jonathan Hoyt and John Adams. The interview was conducted at Compton Sheriff's Station. Following is a summary of the interview:

On April 7, 2017, Suspect Cortez was riding his pocket bike in the area of Compton Boulevard and Oleander Avenue when he saw a Sheriff's patrol vehicle. He did not see the patrol vehicle's lights activated and felt he was free to continue riding his pocket bike. As he accelerated and looked over his shoulder, he saw the patrol vehicle behind him with its overhead lights on. When he heard the patrol vehicle's "siren," Suspect Cortez panicked. At that point, Suspect Cortez did not feel he had done anything wrong. He continued to ride the pocket bike and ignored the deputy's attempts to stop him. Suspect Cortez claimed he refused to stop because he was scared and had seen innocent people get killed by the police.

Suspect Cortez drove on Rosecrans Avenue and then turned left to go south on Wilmington Avenue. He evaded the deputy and took the pathway to Alondra Boulevard, where he saw another patrol vehicle. At Alondra Boulevard, the [second] deputy (Deputy Padilla) told him to stop, but Suspect Cortez ignored that deputy as well, and drove around him, crossing Alondra Boulevard. Suspect Cortez evaded the [second] deputy and continued southbound on the pathway to Oleander Avenue. Upon exiting the pathway on Oleander Avenue, Suspect Cortez saw another patrol vehicle. As Suspect Cortez drove southbound on Oleander Avenue along the curb line, he felt the patrol vehicle hit the right side of his pocket bike. The impact forced the left peg of his pocket bike to hit the curb, causing the pocket bike to stop. Suspect Cortez stumbled over the handle bars of the pocket bike and fled on foot.

IAB Note: Suspect Cortez was unsure of the exact streets he took to evade Deputy Guzman, and could only remember the names of a few streets he traversed, which are noted in the summary. There was no damage to Deputies Giron and Hidalgo's patrol vehicle or Suspect Cortez' pocket bike to substantiate Suspect Cortez' allegation that they rammed his pocket bike **[Exhibit A, DVD, Patrol Vehicle]**.

Suspect Cortez ran from the deputies as he disposed a long screwdriver, which he estimated to be approximately one foot long, from his left cargo pant pocket. He said he threw it to the ground because it could be perceived as a weapon by the deputies. Afterward, he ran toward a nearby fence, where he threw his backpack over to the other side of the fence. When Suspect Cortez attempted to climb the fence, an unknown deputy grabbed him and "slammed" him on the ground. Suspect Cortez said he immediately interlocked his fingers behind his back and one of the deputies handcuffed him.

Shortly after he was handcuffed and still lying face down on the ground, Suspect Cortez heard someone yell, "Stop resisting." He was now being punched and kicked in the face and body. Suspect Cortez said he was punched in the face approximately four times. Although he did not see a shod foot, he was kicked in the face at least one time. The kick was what caused the injury to his face. Suspect Cortez stated he was also hit in the back, hip, and thigh areas; however, he did not know if he was punched or kicked in those areas. Suspect Cortez said his wrist injury was caused by one of the arresting deputies as he was taken to the ground.

Suspect Cortez denied using illegal narcotics or alcohol. Suspect Cortez claimed he was a "Special Needs" person because of his prior enrollment in "Special Education" classes.